

REMARKS / DISCUSSION OF ISSUES

Claims 1-20 are pending in the application.

Claim 1 is amended to substantially include the features of claim 3. Claim 11 is amended to be directed to a transmitting station and to substantially include the features of claim 13. Claims 3 and 13 are cancelled. The claims dependent on claim 11 are amended to be directed to a transmitting station. The transmitting station is supported by the specification, for example, page 5, lines 7-14. No new matter is entered.

The Office action rejects claims 11-20 under 35 U.S.C. 101 as directed to non-statutory subject matter.

Claims 11, 12 and 14-20 are now directed to a station, which is statutory subject matter. It is respectfully submitted that the rejection is obviated.

The Office action rejects claims 1, 2, 7, 9-12, 16 and 20 under 35 U.S.C. 102(e) Nishimura et al. (USPA 2003/021673, hereinafter Nishimura). The applicants respectfully traverse this rejection.

Claim 1 includes the features of: transmitting a concatenated MAC header indicating said plural number of MAC data frames with the single PLCP.

Claim 11 includes similar distinguishing features, but is directed to a station.

In the Office action, with regard to the discussion of claim 3 and 13, it is admitted that Nishimura fails to teach the above mentioned features now recited in claims 1 and 11. Therefore, this rejection is obviated.

The Office action does reject the features of claims 3 and 13, now included in claims 1 and 11 respectively, under 35 U.S.C. 103(a) over Nishimura and Ho et al. (USPA 2003/0169769, hereinafter Ho). The Office turns to Ho as showing the above mentioned features.

However, Ho does not suggest transmitting a concatenated MAC header indicating said plural number of MAC data frames with the single PLCP.

As pointed out in the previous response and apparently agreed to by the Office, Ho does not teach transmitting a plurality of MPDUs with a single PLCP overhead.

Because Ho does not teach the plural number of MPDUs with the single PLCP, Ho cannot suggest to one skilled in the art indicating the plural number of MAC data frames with the single PLCP, as claimed.

A frame sub-body count field, as mentioned in Ho, is not equivalent to the features recited in claims 1 and 11 because the frame sub-body count field, which may indicate the number of data fields, would not indicate the number of MAC data frames with the PLCP. Ho uses the singular form of the term 'aggregation frame' to identify the (singular) MAC data frame (MPDU) that is transmitted, and expressly states that this aggregation frame is a conventional MAC data frame. Thus, the frame sub-body count field does not provide the same information as the claimed concatenated MAC header.

Because the combination of references fails to teach or even suggest all the claimed features, it is respectfully submitted that the combination of Nishimura and Ho is patentable distinguished from the claimed invention.

Conclusion

In view of the foregoing, applicant respectfully requests that the Examiner withdraw the objections and rejections of record, allow all the pending claims, and find the application in condition for allowance.

In the event there are any errors with respect to the fees for this response or any other papers related to this response, the Director is hereby given permission to charge any shortages and credit any overcharges of any fees required for this submission to Deposit Account No. 14-1270.

Respectfully submitted,

/Brian S. Myers/

By: Brian S. Myers  
Registration No.: 46,947  
For: Larry Liberchuk,  
Registration No. 40,352

Date: November 14, 2008

**Mail all correspondence to:**  
Larry Liberchuk, Registration No. 40,352  
US PHILIPS CORPORATION  
P.O. Box 3001  
Briarcliff Manor, NY 10510-8001